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FRANK ANNUNZIO
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Congress of the United States
House of Representatives
Washington, D.C. 20515

October 15, 1980

Mr. J. Brian Atwood
Assistant Secretary for
Congressional Relations
Department of State
2201 C Street, N.W.
Washington, D.C. 20520

Dear Mr. Atwood:

Please find enclosed a copy of an article entitled, "Kim Must Be Spared," and also a letter from several of my constituents in which they outline their deep concern that the United States do all it can to see that the Korean Kim Dae Jung be spared.

I would be most appreciative if you would give my constituents' views in this matter your most thorough consideration, and also let me know on their behalf the action being taken by the Department of State to stop the execution of Kim Dae Jung.

Thank you for your cooperation and assistance in this matter.

Sincerely,

Frank Annunzio

FRANK ANNUNZIO
Member of Congress

FA/dah
Enclosures

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OCT 14 1980

September , 1980

Dear Rep. Annunzio

It is shocking to learn of the September 17th death sentence for internationally well-known Korean democratic leader, Kim Dae-Jung and the heavy sentences of 23 other Korean human rights leaders.

After all the blood shed in the Korean War for freedom in that land, and after 30 years of heavy U.S. military and economic assistance toward Korean development, I/we consider it a travesty that South Korea is presently in the hands of a brutal military government which has throttled all voices for democracy.

Even more is the tragedy that the U.S. government continues massive military and economic aid to Korea, supports 40,000 U.S. troops there, and barely seems phased when Korea's most popular democratic leader receives the death sentence after a trial on charges that even the State Department said were "far-fetched".

I/We urge you to do all in your power to turn U.S. foreign policy in Korea back toward freedom and democracy for the Korean people. Without a concrete underpinning of popular support, any south Korean government is a threat to peace inside Korea and to us who are asked to protect her.

A first, necessary step would be a strong move by the U.S. to register its dismay over the sentences in the Kim Dae-Jung case. I/We suggest that you consider some of the possible steps outlined by Professor Jerome Cohen in the (enclosed) New York Times article of September 18, 1980.

Please let me/us know what you are doing regarding the tragic Korean situation.

Sincerely,

[redacted]

[redacted]

[redacted]

4830 N. Spaulding

Chicago Ill. 60625

Kim Must Be Spared

By Jerome Alan Cohen

CAMBRIDGE, Mass. — The sentence of death that a military court in Seoul dealt yesterday to Kim Dae Jung, the opposition leader, demonstrates the bankruptcy of United States policy toward South Korea.

Four years ago, Jimmy Carter warned the dictator Park Chung Hee that continuing repression was undermining American support for his Government. Now, in Mr. Carter's reelection campaign, he will likely portray it as a victory for his statesmanship if American pressure manages to save Mr. Kim, South Korea's most dynamic democratic leader, from death, even if Mr. Kim is left unjustly to rot in prison for life while Koreans suffer under the even more repressive regime that seized power after Mr. Park's assassination.

We could never the treates were the situation not so tragic. Gen. Chun Doo Hwan literally shoots his way to power, violating the United Nations Command structure by his illegitimate use of troops. He then jails Mr. Kim to prevent him from taking part in a widely demanded popular Presidential election. When protests break out in Mr. Kim's native province, the savage reaction of General Chun's troops leads to an uprising in the provincial capital of Kwangju that results in a bloodbath that shatters the painstakingly nurtured modus vivendi between the army and civilian society. Mr. Kim then is accused of sedition for supposedly having fomented all this. To discredit the popular Mr. Kim, whose real "crime" is that in 1971 he almost unseated Mr. Park in South Korea's last relatively free election and is a persuasive proponent of the human rights that General Chun detests, the general fabricates charges that Mr. Kim is a Communist. This is doubly ironic: Mr. Kim is a Jeffersonian democrat and devout Roman Catholic who has kept his faith in the possibility of representative government despite all manner of intimidation including an auto "accident," kidnapping, house arrest, and repeated imprisonment.

General Chun, now President, has perfected the "big lie" technique, so well developed in North Korea. Mr. Park's Government was notorious for censorship that sanitized reality, but General Chun's goes beyond that, falsely telling the people that at his trial Mr. Kim admitted key charges of an indictment that sought to make up in length what it lacked in strength. Mr. Kim has admitted violations of the martial-law decree and the foreign-currency-control law, but has vigorously denied that he violated the sedition and national-security laws, under which the death penalty has been im-

posed. Anthony Lewis, the military judges, under extraordinary pressure, found in 1973 on the "confession" extracted from Mr. Kim in Jung, unable to overcome them, [illegible] that they, as an inferior, [illegible] to strict rules of [illegible] Mr. Kim, like his 23 co-defendants, repudiated his [illegible] confession. Still, in a trial that [illegible] justice, they were all convicted — the 23 get prison terms — despite the prosecution's failure to prove what one State Department has called [illegible] charges. The Korean authorities' view was summed up by the chief prosecutor who, echoing General Chun's public denunciation, told the court: "Such an opportunistic, ruthless politician must be eliminated from this land for good."

Kim Dae Jung's life must be spared, and General Chun may well be prepared to spare it — at least for now — in return for the American support he so desperately needs for legitimacy. But for Washington to barter its support so cheaply would be tragic. The sedition and national-security charges should be dropped and Mr. Kim and the other defendants released, together with all political prisoners. More fundamentally, the country should be permitted to resume the quest for an open political system that it was embarked upon when General Chun shot his way to power.

President Carter recently stated that "the Koreans are not ready for [democracy] according to their own judgment." How could anyone possibly know that about a people who now greet each other by asking, "Did you pass the night safely?" Moreover, Mr. Carter is misguided if he believes that the only instrument of American pressure capable of loosening the totalitarian Chun grip is a threat to withdraw our forces from the peninsula, which might hurt our security interest in northeastern Asia. Many lesser, yet potent, pressures are available, such as ceasing military sales and discussions on providing F-16 jets, suspending negotiations for Export-Import Bank loans and other trade advantages, and using Korean-language broadcasts on the United States Armed Forces Network to correct General Chun's distortions of Washington's position. A failure to apply such pressures, in the name of preserving South Korean "stability," will leave us with a policy of mere tokenism and will convince many despairing democrats there that change can come only by revolution.

Jerome Alan Cohen is on leave as director of East Asian legal studies at Harvard Law School.